

Application No. 10/072,773

Filed: February 8, 2002

TC Art Unit: 2623

Confirmation No.: 2015

REMARKS

In response to an Office Action mailed on March 18, 2005, Applicant respectfully requests that the above-listed Amendments be entered and the Application be reconsidered. With entry of the above-listed Amendments, claims 1, 3, 6-15 and 17-18 are amended; claims 2, 4-5, 16 and 19-21 are canceled. Claims 1 and 14 are independent, and the remaining claims are dependent.

The specification is amended to correct a minor typographical error. No new matter is added.

The Examiner objected to claims 17 and 21 under 37 CFR 1.75(c) as being in improper form due to multiple dependencies. Claim 17 has been amended to overcome the objection, and claim 21 has been canceled.

The Examiner rejected claims 1-21 under 35 USC 112, second paragraph, as being indefinite. Claims 1-18 have been amended to overcome these rejections, and claims 19-21 have been canceled.

The Examiner rejected claim 15 under 35 USC 101 as being inoperative and lacking utility. Claim 15 has been amended to overcome this rejection.

The Examiner rejected claims 1-8 and 10-21 under 35 USC 102(e) as being anticipated by US Pat. No. 6,757,442 to Avinash ("Avinash"). The Examiner rejected claim 9 under 35 USC 103(a) as being obvious over Avinash. Avinash discloses an image enhancement method.

Independent claim 1 has been amended to recite "recognizing at least one region of the photographic image, each such region containing an image of skin, sky or vegetation, wherein the recognition is based at least on a characteristic color in the respective region; ... and determining a correction mask, elements of the correction mask describing changes of sharpness or local sharpness to be made to respective corresponding image elements of the photographic image, ... wherein the sharpness of at least some image elements in regions of the photographic image that contain images of skin or sky are to be decreased, according to information related to the respective regions; and the sharpness of at least some image elements in regions of the photographic image that contain images of vegetation are to be increased, according to

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information related to the respective regions." (Amended portions of the claim relevant to the present argument are underlined.) Independent claim 14 has been similarly amended.

Although Avinash discloses processing values or other parameters, such as frequency or color, of an image, neither Avinash nor any other art of record, either individually or in combination, discloses or suggests recognizing a photographic image region containing skin, sky or vegetation and decreasing the sharpness of image elements that contain images of skin or sky or increasing the sharpness of image elements that contain images of vegetation. For at least this reason, independent claims 1 and 14 are believed to be allowable.

Dependent claims 2, 3, 6-13, 15, and 17-18 depend directly or indirectly from claim 1 or 14. These dependent claims are, therefore, believed to be allowable, for at least the reasons discussed with respect to claims 1 and 14.

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For all the foregoing reasons, it is respectfully submitted that the present Application is in a condition for allowance, and such action is earnestly solicited. The Examiner is encouraged to telephone the undersigned attorney to discuss any matter that would expedite allowance of the present Application.

Respectfully submitted,

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